July 24, 2020

The Honorable Wesley W. Simina
Speaker
Twenty-First Congress
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear Speaker Simina:

I am pleased to transmit the following act, which I have signed into Public Law No. 21-154:

Congressional Act No. 21-172, entitled: "AN ACT TO FURTHER AMEND PUBLIC LAW 21-19, AS AMENDED BY AMENDING SECTIONS 6 AND 8 THEREOF, IN ORDER TO CLARIFY WHEN THE CONSTITUTIONAL CONVENTION SHALL RECONVENE AFTER THE CORONA VIRUS EMERGENCY, TO CLARIFY THAT DELEGATES WILL NOT BE PAID DURING THE EXTENDED RECESS, TO CLARIFY THE TIMEFRAME TO VOTE ON PROPOSED AMENDMENTS, AND FOR OTHER PURPOSES."

I take this opportunity to thank the 21st FSM Congress for the passage of this act in the last special session.

Sincerely,

David W. Panuelo
President

xc: Chief Justice, FSM Supreme Court
July 14, 2020

His Excellency David W. Panuelo
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear President Panuelo:

I have the honor to transmit herewith Congressional Act No. 21-172, "AN ACT TO FURTHER AMEND PUBLIC LAW 21-19, AS AMENDED BY PUBLIC LAWS NOS. 21-39, 21-74, AND 21-109, BY AMENDING SECTIONS 6 AND 8 THEREOF, IN ORDER TO CLARIFY WHEN THE CONSTITUTIONAL CONVENTION SHALL RECONVENE AFTER THE CORONAVIRUS EMERGENCY, TO CLARIFY THAT DELEGATES WILL NOT BE PAID DURING THE EXTENDED RECESS, TO CLARIFY THE TIMEFRAME TO VOTE ON PROPOSED AMENDMENTS, AND FOR OTHER PURPOSES", which was passed by the Twenty-First Congress of the Federated States of Micronesia, Sixth Special Session, 2020, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

Liviana Ramon Ioanis
Chief Clerk, Congress of the Federated States of Micronesia

Enclosures
An Act

TO FURTHER AMEND PUBLIC LAW 21-19, AS AMENDED BY PUBLIC LAWS NOS. 21-39, 21-74, AND 21-109, BY AMENDING SECTIONS 6 AND 8 THEREOF, IN ORDER TO CLARIFY WHEN THE CONSTITUTIONAL CONVENTION SHALL RECONVENE AFTER THE CORONAVIRUS EMERGENCY, TO CLARIFY THAT DELEGATES WILL NOT BE PAID DURING THE EXTENDED RECESS, TO CLARIFY THE TIMEFRAME TO VOTE ON PROPOSED AMENDMENTS, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: ISAAC V. FIGIR

DATE: JULY 8, 2020

REFERRED TO: COMMITTEE ON WAYS AND MEANS
WITHDRAWN – JULY 8, 2020

FIRST READING: – JULY 8, 2020
SECOND READING: – JULY 10, 2020

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress
ACT NO. 21-172

(CONGRESSIONAL BILL NO. 21-258)

We hereby certify that on July 10 the foregoing act passed Second and Final Reading of the Twenty-First Congress of the Federated States of Micronesia, Sixth Special Session, 2020, by a two-thirds vote of all the State delegations as required under article IX, section 20, of the Constitution of the Federated States of Micronesia.

Wesley W. Simina
Speaker
Congress of the Federated States of Micronesia

Liwiana Ramon Ioanis
Chief Clerk
Congress of the Federated States of Micronesia
AN ACT

To further amend Public Law 21-19, as amended by Public Laws Nos. 21-39, 21-74, and 21-109, by amending sections 6 and 8 thereof, in order to clarify when the Constitutional Convention shall reconvene after the coronavirus emergency, to clarify that Delegates will not be paid during the extended recess, to clarify the timeframe to vote on proposed amendments, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1. Section 6 of Public Law No. 21-19, as amended by Public Laws Nos. 21-74 and 21-109, is hereby further amended to read as follows:

   "Section 6. Procedures.

   (1) The Constitutional Convention shall be convened on the first Tuesday after the first Monday in January, 2020, and the Constitutional Convention shall continue in session for no longer than thirty calendar days; PROVIDED, HOWEVER, that the Convention may:

   (a) call recesses, including one extended recess of between 3 and 30 consecutive calendar days, which shall not be included in the calculation of the calendar days the Constitutional Convention is in session and for which no daily allowance under section 9 shall be paid;

   (b) extend the session, if necessary, for up to a total of forty-five calendar days; and

   (c) The Constitutional Convention may call an
additional recess of up to three months, which shall not be included in the calculation of the calendar days the Constitutional Convention is in session and for which no daily allowance under section 9 shall be paid, due to the coronavirus emergency. The extended recess of three months due to the coronavirus emergency will be resumed at the call of the President of the Constitutional Convention, no later than 3 months after the coronavirus emergency declaration is revoked. After such recess, the Convention shall continue the remaining session days of the Convention in consecutive calendar days. Delegates shall not be entitled to any allowance, as prescribed under section 9, during the coronavirus emergency recess.

(2) The President of the Federated States of Micronesia, or their designee, shall act as President of the Convention until the Convention selects a President from among its membership.

(3) The Convention shall select, from among its membership, a President and such additional officers as it may deem necessary and appropriate.

(4) The Convention shall adopt its own rules and procedures not inconsistent with this act. All sessions of the Convention shall be open to the public.

(5) A quorum of the Convention shall consist of all of the four state delegations. For the purpose of
determining a quorum, a state delegation is not present
unless more than one-half of the delegates from that
state are present."

Section 2. Section 8 of Public Law No. 21-19, as amended, is
hereby amended to read as follows:

"Section 8. Duties of the Convention.

(1) The Convention shall propose amendments to the
Constitution to be placed on a ballot to be held at the
next National Election after the Constitutional
Convention adjourns sine die; PROVIDED, HOWEVER, that in
the event that an amendment would affect the general
election, the amendment or amendments shall be voted on
in a special referendum called by the President of the
Federated States of Micronesia no later than three
months preceding a general National Election.

(2) Proposed amendments to the Constitution shall be
in the format set forth in the Constitutional Amendment
Procedure Act, title 1, section 703 of the Code of the
Federated States of Micronesia (Annotated), as amended,
and any regulations issued pursuant thereto.

(3) When said amendments have been proposed by the
Convention, the Convention shall notify the President of
the Federated States of Micronesia, who shall transmit a
copy of the amendments to the Congress of the Federated
States of Micronesia, and shall call a referendum as
provided by title 1, chapter 7 of the Code of the
Federated States of Micronesia (Annotated), as amended."

Section 3. This act shall become law upon approval by the
President of the Federated States of Micronesia or upon its
becoming law without such approval.

July 24th, 2020

David W. Panuelo
President
Federated States of Micronesia